

PUBLIC HEARING REQUEST

Sponsor:

Harry F. Atherton, Chairman, Marshall
District Supervisor

Board of Supervisors' Meeting Date:

July 21, 2003

Staff Lead:

Frederick P.D. Carr

Department:

Community Development

Topic: A Resolution Revising the Department of Community Development's Fee Schedule

Topic Description:

This update revises the fee categories associated with site plans, special permits, text amendments to the Zoning Ordinance, zoning appeals, and variances; special exception and rezoning applications; and preliminary and final subdivision plats, construction plans, and Type I soil studies.

Requested Action of the Board of Supervisors:

Conduct a public hearing. Due to Board of Supervisors policy, a resolution for fee schedule approval cannot occur until the August 18th regular meeting.

A resolution for Community Development Fee Schedule approval is included as an Attachment for Board of Supervisors consideration and action. The referenced resolution marks all proposed fee revisions, along with a recommended effective date of September 1, 2003.

Background Information:

This executive summary lists the major fee changes and their general justifications. The actual additions or revisions discussed herein are reflected within the attached resolution; only the fees that are subject to change are listed. If there are any questions regarding the proposed fees, staff will be available to provide answers.

Identify any other Departments, Organizations or Individuals that would be affected by this request:

Property Owners
Developers

RESOLUTION

A RESOLUTION REVISING THE DEPARTMENT OF COMMUNITY DEVELOPMENT'S FEE SCHEDULE

WHEREAS, the Department of Community Development needs to add fees for specific application categories and update existing land development application fees; and

WHEREAS, the Board of Supervisors wants County application fees to be assessed for required land development applications and associated documents to keep pace with inflation, personnel, processing and inspection requirements due to application and project complexities, and to maintain effective, quality and responsible service; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 18th day of August 2003, That the Department of Community Development's fee schedule be revised as follows, with an effective date of September 1, 2003:

Zoning Permits, Variances, Appeals, Amendments & Special Permits

	Current	Proposed Change
Zoning Ordinance Text Amendment	\$250	\$500
Variance	\$250	\$350
Appeal to Board of Zoning Appeals	\$400	\$500
Special Permit Categories 1 thru 8	\$300	\$400
Special Permit Categories 9 thru 22	\$300	\$600
Sign Package Permit: Planned Development	None	\$500
Subdivision Potential Research (RA & RC)	None	\$100

Special Exceptions

	Current	Proposed Change
Category 1 & 2		
Villages & Settlements	\$250 plus \$10 per acre	\$525 plus \$10 per acre
Category 3	\$400	\$825
Category 4 & 6	\$250	\$525
Category 5 & 7	\$400	\$525
Category 9, 10, 11, & 23	\$250	\$725
Category 12 & 25	\$500	\$825
Category 14, 15, 16, 17, 18, 19, 21, & 26	\$750	\$825
Category 19	\$750	\$825
Category 20	\$750	\$825
Category 20 (Residential – 1 lot, Private Individual Sewage System)	\$250	\$625
Category 20 (Commercial, Industrial, Residential, Private Sewage System)	\$250	\$625 up to 1,000 gpd
	None	\$625 up to 1,000 gpd, Plus \$30 per each additional 1,000 gpd
Category 20 (Telecommunications Facilities)	\$3,500	\$4,500
Category 27, 28, 29, & 30	\$350	\$825
Category 31	\$350	\$1,025

Rezoning	Current	Proposed Change
Rural Residential	\$500 plus \$40 per acre	\$625 plus \$40 per acre
Residential 1, 2, 3, Village	\$500 plus \$60 per acre	\$625 plus \$150 per acre
Town House/Garden Apartment/Mobile Home Park	\$750 plus \$80 per acre	\$875 plus \$150 per acre
Commercial 1, Village Commercial	\$500 plus \$120 per acre	\$625 plus \$120 per acre
Commercial 2 & 3	\$500 plus \$150 per acre	\$625 plus \$150 per acre
Industrial	\$1,000 plus \$80 per acre	\$1,125 plus \$120 per acre
Planned Village/Planned Community/Overlay District	\$1,000 plus \$80 per acre	\$1,525 plus \$150 per acre
Proffer Amendment (Not involving significant modifications to the Concept Development Plan or Proffer Statement)	\$1,500	\$1,500 or 50% of required rezoning fee, whichever is less

Site Plans	Current	Proposed Change
Major Site Plan (Technical Division Review)	None	\$1,000
Residential		
1) Minor	\$400 plus \$40 per unit	\$500 plus \$50 per unit
2) Major	\$1,000 plus \$80 per unit	\$1,500 plus \$100 per unit
Non-Residential		
1) Minor	\$100 plus \$10 acre	\$500 plus \$50 acre
2) Major	\$1000 plus \$80 acre	\$1,500 plus \$100 acre
Telecommunications		
1) Minor Site Plan	\$500	\$1,000
2) Major Site Plan with Special exception	\$500	\$1,500
3) Major Site Plan w/o Special Exception	\$1,500	\$3,500
Site Plan Amendment	\$200	\$500
Resubmission/Review of Site Plans		
1 st resubmission	None	None
Subsequent resubmissions	\$200	None

Subdivision Ordinance	Current	Proposed Change
Subdivision Ordinance Text Amendment	\$250	\$500
Preliminary Plat		
RA & RC Districts	No change	No change
RR-2 & Residential, Residential Units	\$750 plus \$40 per lot	
Part of Planned Development Districts		
1-5 lots		\$975 plus \$50 per lot
6-24 lots		\$1,075 plus \$70 per lot
Over 25 lots		\$1,175 plus \$90 per lot
Review of Preliminary Soils Report		
Base Fee	None	\$600 per review
Plus > 30 acres	None	\$20 per acre
Final Plat	\$400	
RA & RC Districts		
1-5 lots		\$425
6-24 lots		\$525
Over 25 lots		\$625

Subdivision Ordinance (Continued)	Current	Proposed Change
RR-2 & Residential, Residential Units Part of Planned Development Districts	\$650	
1-5 lots		\$675
6-24 lots		\$775
Over 25 lots		\$875
Final Construction Plan (Revised)		
RA & RC Districts	\$60 per lot	\$425 plus \$70 per lot
RR-2 & Residential Districts, Residential Units of Planned Development	\$60 per lot	\$425 plus \$200 per lot
C, I, Non-Residential Planned Districts	\$60 per lot	\$425 plus \$70 per lot
Final Construction Plan or Infrastructure Plan Technical Review (New)	None	\$500 plus \$50 per lot
Administrative Subdivisions	\$200 plus \$50 per lot	\$300 plus \$50 per lot
Boundary Adjustment	\$150	\$200
Family Transfer	\$200 plus \$50 per lot	\$250 plus \$50 per lot
Large Lot (Divisions greater than 50 acres)	\$300 plus \$100 per lot	\$350 plus \$100 per lot
Appeal of Subdivision Approval/Denial	\$200	\$500
Waiver of Subdivision or Zoning	\$200	\$300
Ordinance Regulation (BOS & PC)		
Waiver of Subdivision or Zoning	None	\$200
Ordinance Regulation (Administrative)		
Preliminary Plat Extensions (Revised)		
1 st submission	None	\$100
Plat of Vacation, Resubdivision, Rededication Deed/Plat of Vacation/Rededication	50% of Final Plat Fee	1-5 lots \$100 6-24 lots \$150 Over 24 lots \$200
Resubdivision	None	(See Preliminary & Final Plat Fees & Final Construction Plan Fees)
Resubmission/Review of Plats		
1 st resubmission	None	None
Subsequent resubmissions	\$200	None
Technical Review Fees & Permits	Current	Proposed Change
Type 1 Soil Map & Report (Revised)		
Base Fee	\$300	\$600
Plus >30 acres	\$5 per acre	\$20 per acre
Land Disturbing Permit (Revised)		
Single Family E&S Control Fee	\$50, plus	\$50, plus
All Others (\$4,000 max) (\$10,000 max)	10% of E&S Bond	10% of E&S Bond
Resubmission/Review of Technical Plans		
1 st Resubmission	None	None
Subsequent resubmissions	\$200	None
<u>Postponement of any Public Hearing by Applicant after advertisement</u>	\$75	\$100

Department of Community Development
Proposed Changes to the Fee Schedule
Summary Justifications

Revised Department of Community Development Fee Schedule. This executive summary lists the major fees changes and their general justifications. The actual additions or revisions discussed herein are reflected within the attached resolution; only the fees that are subject to change are listed.

Zoning, Permitting & Inspections Division:

In general, fees have been proposed to increase in order to partially offset the actual costs of processing the various applications, including staff time, report preparation and costs associated with printing, postage, advertising and notices for adjoining properties.

Zoning Ordinance Text Amendments and Special Permits

The most significant increases are proposed for *Zoning Ordinance Text Amendments* (from \$250 to \$500) and *Special Permits Categories 9 through 22* (from \$300 to \$600).

The higher fee for the Text Amendments reflects the additional costs incurred to process and review this type of private sector initiated application through the two-tiered Planning Commission and Board of Supervisors review and hearing process.

While all Special Permit fees proposed to increase are to reflect increased costs of processing, the permits have been divided into two subcategories, with a greater fee increase proposed for the more complex types of applications requiring more staff analysis. Categories 1 through 8, which include residential uses, home occupations, temporary, adaptive, educational and institutional use, are proposed to increase from \$300 to \$400. Categories 9 through 22, which include commercial, recreational and industrial uses, are proposed to increase more significantly, from \$300 to \$600 in order to reflect the greater staff time typically expended in the review of such cases.

Sign Package

First, a \$500 fee is proposed for a sign package permit. Pursuant to Section 8-1600 of the Zoning Ordinance (amended in 2002), within the PDMU, PRD and PCID zones, an applicant may elect to utilize separate provisions for signage, which require approval of a signage design package by the Planning Commission, including public hearing. Such a sign package was reviewed and approved for Vint Hill. There is currently no established fee for such an application; Staff proposes a \$500 fee to cover some of the actual costs of reviewing such a package.

Subdivision Potential Research

The second new fee, of \$100, is proposed for Subdivision Potential research in the RA/RC zones. Currently, the department processes 50-70 requests for subdivision potential research monthly. The structure of the Zoning Ordinance is such that significant property research must be conducted for each individual property in order to determine the subdivision potential remaining on a lot, which is zoned RA or RC. Effectively, the title of the property must be traced back to 1968. Sufficient staff resources are not available to do the extensive research required on each case in order to provide consistent and correct results. Therefore, the Department proposes to utilize the services of a professional trained in title research to conduct the necessary research. The proposed fee is intended to cover the costs of this research, creation of a computer entry for the research and linkage with GIS mapping.

Site Plans

A technical fee of \$500 has been added to capture some of the actual costs of the extensive technical review conducted by engineering and soils staff for each site plan. The basic fee revisions for residential and non-residential site plans offset staff processing, reports, the Technical Review Committee costs, and applicant plan resubmissions review.

The base site plan fee for identified telecommunications categories has been increased to cover the County's technical consultant costs for their required site visit, modeling analysis (as required), and technical report.

The base fee for major site plans has increased from \$1000 plus 40 unit/acre to \$1500 plus 100 unit/acre. A typical site plan requires two or three separate resubmissions of revised plans, with County staff both reviewing and coordinating the review of each plan submission with all other interested referral agencies. Each site plan review also requires several meetings with the applicant or representatives, including a pre-application meeting and a Technical Review Committee meeting. The proposed fee increase will begin to offset some of the staff costs associated with processing these plans.

Planning Division:

The fee changes proposed by the Planning Division are to more correctly reflect the actual costs to process and review the applications; to absorb a portion of the resubmission fees that are proposed to be deleted as a separate line item; to recover some of the cost associated with the new mandatory pre-application conferences required for the balance of land development applications; and to recover some of the costs associated with the ESI review of applications.

Most land development applications require a minimum of two or more resubmissions, which typically results in an additional transmittal to referral agencies, review by Planning Division and Departmental staff, the Planning Commission, and/or the Board of Supervisors. Rather than require

additional fees for any plan resubmission, that cost is now included in the base application fees. Any reference to a second resubmission fee has been eliminated.

Special Exception and Rezoning Applications

The special exception categories follow the two tier public hearing and action process through the Planning Commission and Board of Supervisors. The baseline fees for this application type needs to be more than for the special permit since they all are typically more complex, require more staff and referral agency review and coordination, and the requisite public notices. As a result, all classes of special exception have fee increases.

A major fee change is proposed for *Category 20 (Community Sewage Disposal Systems)* for the review of individual sewage systems (e.g., alternative systems), and commercial, industrial, residential and private sewage systems (e.g., Warrenton Chase, Raymond Farms). The current fee is \$500, which does not adequately support staff time associated with such a specialized request that results in several hours spent on-site by the County Soil Scientist, plus technical analysis and reporting. These applications also require at a minimum two public hearings, two staff reports, notice to adjoining property owners, dissemination of application materials to the referral agencies, and several meetings between the application and staff.

The rezoning fees all realized increases, especially the more complex overlay districts that affect Planned Residential Development (PRD), Planned Commercial Industrial Development (PCID), and Planned Mixed Use Development (PMUD). These require significant planning and traffic impact analyses, Proffer Statement assessment, coordination, work sessions with the applicant and Planning Commission, and detailed staff reports leading to final Board of Supervisors action. There also was better definition developed for Proffer Statement Amendments to ensure fees were not excessive for minor changes.

Subdivision Categories:

- Subdivision Text Amendment

If an applicant initiates a text amendment to the Subdivision Ordinance, the fee revision from \$250 to \$500 covers the basic processing, staff analysis, and the requisite legal advertising required for both Planning Commission and Board of Supervisors public hearing and action.

- Review of Preliminary Soils Report

Soil reports are required for all preliminary plats, but no review fee is required for the Soil Scientist review, which includes a field visit, analysis, and report which assists in drainfield location, stormwater management, basement design and associated topics. The proposed base fee of \$600 covers that assessment, with \$20/acre for parcels greater than 30 acres in size.

- Subdivision Applications

Note that there are no revised subdivision fee changes for C and I districts, nor any preliminary plat fee changes for RA and RC district properties. The fees for all other residential or planned development preliminary subdivision and final plat categories have been increased. The categories have been reorganized into three classes of lot size: 1-5 lots, 6-24 lots, and 25 lots or more.

- Final Construction Plans

Another fee adjustment is focused on Final Construction Plan review/approval. The Planning Division now takes the lead role for final construction plan review. The existing fee structure for final subdivision plan review is based upon a former procedure where the applicant handled specific aspects of the final construction plan review, which included:

1. circulating the plans to each referral agency;
2. coordinating and tracking the separate review agencies;
3. monitoring the agencies responsiveness; and
4. circulating signature sets of plans to all appropriate agencies.

That action resulted in major administrative problems, coordination issue and time delays. The process was changed in the 2001 time frame; the Planning Division now is tasked with all of those identified responsibilities. This assignment, including staff review, also requires repeated dissemination of plans, coordination of meeting schedules, transmitting agency comments to applicants and/or their representatives, and coordination of final approval and signature set sign-offs by all referral agencies (County Engineer, Soil Scientist, Health Department, JMSWCD, VDOT and WSA).

It needs to be noted that the “subsequent resubmission fees” have been eliminated, and that cost has been incorporated into the base fee for all subdivision and site plan categories.

Technical Division (County Engineer & Soil Scientist)

Technical Review Fees & Permits

Major Site Plan (Technical Review)

The \$1,000 fee offsets County Engineer comprehensive analysis and recommendations costs for floodplain, wetland, grading and basic stormwater management including the review of resubmissions.

Type 1 Soil Map and Report

The Type 1 Soil Mapping program has grown over the past four years. Property owners, for example, request the study and pay the County a fee. The Soil Scientists then conduct field technical analyses and mapping, which then results in a detailed report for the property, soil types and constraints, unique environmental resources (e.g., wetland, drainfield potential, natural springs), potential pond sites and suitability for agricultural uses.

This program has been successful and resulted in the mapping of approximately 13,000 acres countywide. There has not once been a period of time without new requests. This service is field time intensive, and the fees need to be updated.

Prince William, Fairfax, Stafford, Rappahanock, and Culpeper Counties do not offer this program to its community. Loudoun County is the only other county in our region currently performing a similar service. The fee for the Preliminary Soil Report created by the Loudoun County Soil Scientist office is \$850 for the first 30 acres, and \$25/acre over 30 acres. Our current fee for the Type I Soil Map is \$300 for the first 30 acres, and \$5/acre over 30 acres.

The Department is proposing that the Type 1 Soil Map fee be revised as follows:

Up to 29.99 acres.....base fee of \$600
30 acres of more.....base fee, plus \$20 per acre over 30 acres

Land Disturbing Permits

The current fee for residential subdivisions is \$50, plus 10% of the Erosion and Sediment Control (E&S) Bond, with a \$4,000 maximum. The fees were structured to offset some of the E&S inspection costs for County staff and the JMSWCD. That fee is not sensitive to the multiple inspections that are required for the larger subdivision categories, such as a White’s Mill or a Brookside. Staff is recommending that the maximum threshold be increased from \$4,000 to \$10,000.